

**United States District Court
Northern District of New York**

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|-------------------------------|---|------------------------------------|
| Kelly I., |) | Case No. 6:23-cv-00405 |
| <i>Plaintiff,</i> |) | |
| |) | David N. Hurd |
| v. |) | United States District Court Judge |
| |) | |
| Martin O'Malley, ¹ |) | Daniel J. Stewart |
| Commissioner of the Social |) | United States Magistrate Judge |
| Security Administration, |) | |
| <i>Defendant.</i> |) | |

**STIPULATION FOR ALLOWANCE OF FEES
UNDER THE EQUAL ACCESS TO JUSTICE ACT**

IT IS HEREBY STIPULATED that Defendant agrees to pay to Plaintiff attorney fees in the amount of \$7,871.39, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in full satisfaction of any and all claims under the EAJA. The attorney fees may be paid to Plaintiff's counsel if Plaintiff agrees to assign the fees to counsel, and provided that Plaintiff owes no debt to the Federal Government that is subject to offset under the U.S. Treasury Offset Program.

Dated: March 27, 2024

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Martin O'Malley,

By His Attorneys,

Carla B. Freedman,
United States Attorney

/s/ Hugh Dun Rappaport
Hugh Dun Rappaport
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Kelly I.,

By Her Attorney,

/s/ Howard D. Olinsky
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IT IS SO ORDERED:



David N. Hurd
U.S. District Judge

Dated: 04-02-2024